

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,

Plaintiff,

vs.

DOUGLAS JAMES PHIPPS,

Defendant.

No. 4:16-CR-6050-SAB-1

ORDER GRANTING THE  
DEFENDANT'S MOTION FOR  
RECONSIDERATION AND SETTING  
CONDITIONS OF RELEASE

**ECF No. 27**

On Friday, March 24, 2017, the Defendant appeared, in custody, with Assistant Federal Defender Jeremy Sporn, and Assistant Federal Defender Steve Roberts. Assistant United States Attorney Megan McCalla represented the United States.

By consent of the United States, the Defendant's Motion for Reconsideration of Order Granting the Government's Detention Motion (**ECF No. 27**) is **GRANTED.**

**IT IS ORDERED:**

1. Defendant shall be released from Yakima County Jail today.

ORDER GRANTING THE DEFENDANT'S MOTION FOR  
RECONSIDERATION AND SETTING CONDITIONS OF RELEASE - 1

1           2.     If a party desires this Court to reconsider conditions of release  
2 because of material and newly discovered circumstances under 18 U.S.C. §  
3 3142(f), that party shall file a motion with the court, served upon the United States  
4 Attorney, stating what circumstances are new, how they are established, and the  
5 requested change in conditions of release.

6           3.     If a party seeks review of this Order by another court pursuant to 18  
7 U.S.C. § 3145(b), counsel shall adhere to the Detention Order Review Protocol  
8 found in L.Cr.R. 46(k).

9           4.     The Defendant is bound over to Judge Stanley A. Bastian for further  
10 proceedings.

11          5.     Defendant shall complete and sign A.O. Form 199C and, upon  
12 release, abide by the following conditions at all times:

13                           **CONDITIONS OF RELEASE**

- 14   **(1)**    Defendant shall not commit any offense in violation of federal, state or local  
15           law. Defendant shall advise the supervising Pretrial Services Officer and  
16           defense counsel within one business day of any charge, arrest, or contact  
17           with law enforcement. Defendant shall not work for the United States  
          government or any federal or state law enforcement agency, unless  
          Defendant first notifies the supervising Pretrial Services Officer in the  
          captioned matter.
- 18   **(2)**    Defendant shall immediately advise the Court, defense counsel and the U.S.  
19           Attorney in writing before any change in address and telephone number.
- 20   **(3)**    Defendant shall appear at all proceedings as required and shall surrender for  
          service of any sentence imposed as directed.

- (4) Defendant shall sign and complete A.O. Form 199C before being released and shall reside at the address furnished.
- (5) Defendant shall not possess a firearm, destructive device or other dangerous weapon.
- (6) Defendant shall report to the United States Probation Office before or immediately after release and shall report as often as they direct, at such times and in such manner as they direct.
- (7) Defendant shall contact defense counsel at least once a week.
- (8) Defendant is further advised, pursuant to 18 U.S.C. § 922(n), it is unlawful for any person who is under indictment for a crime punishable by imprisonment for a term exceeding one year, to possess, ship or transport in interstate or foreign commerce any firearm or ammunition or receive any firearm or ammunition which has been shipped or transported in interstate or foreign commerce.
- (9) Defendant shall refrain from the use or unlawful possession of a narcotic drug or other controlled substances defined in 21 U.S.C. § 802, unless prescribed by a licensed medical practitioner. Defendant may not possess or use marijuana, regardless of whether Defendant has been prescribed a medical marijuana card.
- (10) Defendant shall surrender any passport to Pretrial Services and shall not apply for a new passport.

### **SPECIAL CONDITIONS**

- (1) Defendant shall remain in the Eastern District of Washington and/or the District of Oregon while the case is pending. On a showing of necessity, and with prior notice by the defense to the assigned Assistant U.S. Attorney, the Defendant may obtain prior written permission to temporarily leave this area from the United States Probation Office.
- (2) Comply with prohibitions on contact with victim(s) of the offense.
- (3) Comply with prohibitions on contact with a specified individual or class of individuals (e.g., felons).

1 (4) Defendant shall refrain from any use of alcohol.

2 (5) Undergo any recommended mental health treatment as directed by the United  
3 States Probation/Pretrial Services Office.

4 DATED March 24, 2017.

5 s/Mary K. Dimke

MARY K. DIMKE

6 UNITED STATES MAGISTRATE JUDGE  
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